

JUN 09 2006

PATENT &amp; TRADEMARK OFFICE

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**TRANSMITTAL FORM**

(to be used on all correspondence after initial filing)

ATTORNEY DOCKET NO.

**70065.0003USU1**

U.S. APPLICATION SERIAL NO.

**10/601,032**

CONFIRMATION NO.

**5177**

FILING DATE

**June 20, 2003**

INVENTOR(S)

**David J. HAMMOND et al.**

EXAMINER

**Amber D. Steele**

GROUP ART UNIT

**1639**

TITLE OF APPLICATION

**Method for Identifying Individual Active Entities From Complex Mixtures**

ADDRESS TO:

**Mailstop Amendment  
Commissioner for Patents  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450**

## ENCLOSURES

- Transmittal Form**
- Information Disclosure Statement**
- Copy of European Search Report issued in EP 03739241.2 (7 pages)**
- PTO Form 1449 (1 Sheet)**
- Copies of Cited Documents (5)**
- Return Postcard**

Please charge Deposit Account No. 13-2725 in the amount of \$0.00 to cover any required fees. In the event any variance exists between this amount and the Patent Office charges for filing the above-noted documents, including any fees required under 35 CFR 1.136 for any necessary extension of time to make the filing of the attached documents timely, please charge or credit the difference to Deposit Account No. 13-2725. Further, if these papers are not considered timely filed, then a request is hereby made under 37 CFR 1.136 for the necessary extension of time.

## CORRESPONDENCE ADDRESS

The address associated with Customer Number: **23552**      OR     the correspondence address below.

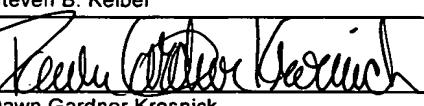
Name

Address

City

State

Zip Code

NAME	Steven B. Kelber	REGISTRATION NO.	30,073
SIGNATURE		DATE	June 9, 2006
NAME	Dawn Gardner Krosnick	REGISTRATION NO.	44,118



<b>INFORMATION DISCLOSURE STATEMENT</b> <b>37 C.F.R. § 1.97(d)</b>		ATTORNEY DOCKET NO. <b>70065.0003USU1</b>
		U.S. APPLICATION SERIAL NO. <b>10/601,032</b>
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INVENTOR(S) <b>David J. HAMMOND et al.</b>	EXAMINER <b>Amber D. Steele</b>	GROUP ART UNIT <b>1639</b>
TITLE OF APPLICATION <b>Method for Identifying Individual Active Entities From Complex Mixtures</b>		

Mailstop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

**Certification Under 37 C.F.R. §1.97(e)(1)**

In accordance with 37 C.F.R. §1.97(c) or §1.97(d), the undersigned hereby certifies that each item of information listed on the enclosed Form 1449 was first cited in a communication from a foreign patent office in a counterpart foreign application within three months of filing this statement. In accordance with 37 C.F.R. §1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided. Enclosed for the Examiner's information is a copy of the European Search Report.

**Certification Under 37 C.F.R. § 1.704(d)**

In accordance with 37 C.F.R. § 1.704(d), the undersigned hereby certifies that each item listed on the enclosed Form 1449 was cited in a communication from a foreign patent office in a counterpart application, and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty (30) days prior to the

filing of this Information Disclosure Statement. Accordingly, no patent term adjustment is due for the filing of this Information Disclosure Statement.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

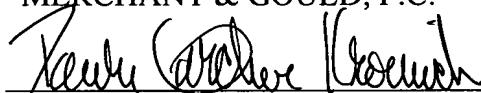
June 9, 2006

Date

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Respectfully submitted,

MERCHANT & GOULD, P.C.



Steven B. Kelber  
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**23552**

Patent & Trademark Office



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INFORMATION DISCLOSURE  
STATEMENT (PTO 1449)

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INVENTOR(S) <b>David J. HAMMOND et al.</b>	EXAMINER <b>Amber D. Steele</b>	GROUP ART UNIT <b>1639</b>
TITLE OF APPLICATION <b>Method for Identifying Individual Active Entities From Complex Mixtures</b>		

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
A	5,482,867	01/09/1996	BARRETT et al.			

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES	NO
B	EP 0 639 584 A1	02/22/1995	Europe				
C	WO 01/40265 A2	06/07/2001	WIPO				
D	WO 03/089922 A1	10/30/2003	WIPO				

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

E	Jones et al., "Synthetic Microphage Activating Peptides Derived From the N-Terminus of Human MCF", <i>Biochemical and Biophysical Research Communications</i> , Volume 199, Number 1, 1994, February 28, 1994, pages 20-25.
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EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if the reference is considered, whether or not the citation is in conformance with MPEP 609. Draw a line through the citation if it is not in conformance and it is not considered. Include a copy of this form with the next communication to the Applicant.